

REMARKS/ARGUMENTS

1) Status of the claims.

Claims 1, 7 and 18-20 are amended; Claims 9-11 and 14-15 are accorded withdrawn status; Claims 1-20 are pending.

2) Support for amended claims.

Amended Claim 1 is supported, for example, at previously presented Claim 1 and at specification page 7, paragraph 29, in combination with M.P.E.P. § 2173.05(i) that describes, in part, “[i]f alternative elements are positively recited in the specification, they may be explicitly excluded in the claims.” In the present case, a “fragrant material” is a positively recited alternative element, and thus, under § 2173.05(i), may be excluded from the claims. Amended Claim 7 is supported, for example, at previously presented Claim 7. Amended Claims 18-20 are supported, respectively, at previously presented Claims 18-20 in combination with previously presented Claim 1.

No new matter is added.

3) The objection to Claim 7 is traversed (Office Action page 3).

Claim 7 is amended to add the term “claim,” thereby mooting the claim objection. Withdrawal of the objection is requested.

4) The indefiniteness rejection of Claims 18-20 is traversed (Office Action page 3).

The indefiniteness rejection of Claims 18-20 is mooted by the amendment to these claims replacing the term “water-soluble organic medium” with the term “oily material.” Wax, animal fat, and Vaseline are all oily materials. Withdrawal of the rejection is requested.

5) The obviousness rejection of Claims 1-8, 12-13, and 16-17 as being unpatentable in view of Cruetz, Aldcroft, and Sop as evidenced by MSN Encarta dictionary for powder and the Compact Oxford English Dictionary for granule is traversed (Office Action page 3).

Present Claim 1 is the sole independent claim. Present Claim 1 is drawn to a composition consisting essentially of an oily material, which is solid at room temperature, and

a water-soluble organic medium;

wherein the composition dissolves or disperses in water, and

wherein the composition does not comprise a fragrant material.

Cruetz is drawn to “[a] composition for the controlled release of fragrance [that] comprises a blend of a fragrance composition and a waxy hydrophobic material. The [waxy] hydrophobic material is a mixture of a wax and a liquid silicone compatible with the wax” (see the Abstract of Cruetz). At paragraph 11, Cruetz describes, in part, “the present invention [is] a composition for controlled release of a fragrance comprising a blend of a fragrance composition and a waxy hydrophobic material...” Thus, Cruetz requires a fragrance, and amended Claim 1 excludes a fragrance (e.g., excludes a fragrant material). Accordingly, Cruetz does not describe or suggest every feature of present Claim 1, and in fact, “teaches away” from at least the feature of present Claim 1 and the claims depending therefrom that “the composition does not comprise a fragrant material.” Aldcroft, Sop MSN Encarta dictionary, and the Compact Oxford English Dictionary do not remedy the deficiency of Cruetz. Withdrawal of the obviousness rejection is requested.

6) Conclusion.

Because the claims are deemed to be in condition for allowance, Applicants request rejoinder of the withdrawn process claims under M.P.E.P. § 821.04.

Applicants submit the present application is now in condition for allowance. Early notification to this effect is earnestly solicited.

Respectfully submitted,

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A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a series of loops and a long horizontal stroke extending to the right.

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